

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Complete if Known</b>	
				Application No.	10/612,179
				Filing Date	July 2, 2003
				First Named Inventor	Roland Kreutzer
				Art Unit	1635
				Examiner Name	Kimberly Chong
Sheet	1	of	4	Attorney Docket Number	26421-15777

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Number – Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-2004/0102408 A1	05-27-2004	Kreutzer et al.
	A2	US-2004/0053875 A1	03-18-2004	Kreutzer et al.
	A3	US-5,801,154	09-01-1998	Baracchini et al.
	A4	US-5,739,271	04-14-1998	Sridhar et al.
	A5	US-5,703,054	12-30-1997	Bennett et al.
	A6	US-5,624,803	04-29-1997	Noonberg et al.

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	B1	DE 69233117 (With English Abstract)	04-15-2004	Genset S.A.	
	B2	AU 778474	08-18-2000	Kreutzer	
	B3	AU 717543	12-05-1997	Bertling	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>	
	C1	International Search Report of International Application No. PCT/EP2002/00151, January 27, 2003, 7 pages.		
	C2	Statutory Declaration by Martin Edward O'Brien of Spruson and Ferguson in the matter of Opposition to Australian Patent No. 778474, filed by SIRNA Therapeutics, Inc. on September 9, 2005.		
	C3	Petition regarding German Patent no. DE 10080167 filed by Silence Therapeutics AG, March 17, 2009, 20 pages.	X	
	C4	Record for the Oral proceedings before the Opposition Division from European Patent Office, in opposition of European Patent No. 1214945, March 21, 2009, 92 Pages.	X	
	C5	Grounds of Appeal filed by Alnylam Europe AG for European Patent EP 1214945, filed August 5, 2009, 21 pages.	X	
	C6	Minutes of oral proceedings for European Patent EP 1214945, May 19, 2010, 13 pages.	X	
	C7	Response to patentee's Grounds of Appeal filed by Quark Biotech, Inc. for European Patent EP 1214945, filed December 28, 2009, 12 pages.		
	C8	Response to Preliminary Opinion of the Board of Appeal for European Patent EP 1214945, filed by Sirna Therapeutics, Inc., filed on April 16, 2010, 15 pages.		
	C9	Response to patentee's Grounds of Appeal filed by Sirna Therapeutics AG for European Patent EP 1214945, filed December 23, 2009, 60 pages.		
	C10	Summons to Attend Oral Hearing regarding opposition against European Patent EP 1214945, February 26,	X	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.  
 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1Applicant's unique citation designation number (optional). 2See Kinds Codes of USPTO Patent Documents at [www.uspto.gov/mpep/2011.04](http://www.uspto.gov/mpep/2011.04). 3Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6Applicant is to place a check mark here if English language Translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT****Complete if Known**

Application No.	10/612,179
Filing Date	July 2, 2003
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Kimberly Chong
Attorney Docket Number	26421-15777

Sheet

2

of

4

**OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
		2010, 15 pages.	
	C11	Response to Summons for oral proceedings in Opposition against EP 1214945 filed by Silence Therapeutics AG, filed on April 19, 2010, 5 pages.	
	C12	Notice of Opposition to German Application No. DE 10066235, filed by Silence Therapeutics, AG on July 10, 2008, 34 pages.	
	C13	Notice of Opposition to German Application No. DE 10066235, filed by Sanofi Aventis Deutschland GmbH on July 10, 2008, 42 pages.	X
	C14	Response to Summons to Attend Oral proceedings issued by the German Patent and Trademark office on December 9, 2009 regarding opposition against German Patent DE 10066235.8, filed by Alnylam Europe AG and January 4, 2010, 36 Pages.	X
	C15	Minutes of oral proceedings regarding opposition against German Patent DE 10066235.8, February 5, 2010, 14 Pages.	
	C16	Notice of Acceptance for Australian patent application number AU 2008202208, October 19, 2009, 3 pages.	
	C17	Notice of Opposition to Australian patent application no. AU 2008202208 filed by Sirna Therapeutics, Inc., filed on January 29, 2010, 1 page.	
	C18	Statement of Grounds & Particulars of Opposition to Australian patent application no. AU 2008202208 filed by Sirna Therapeutics, Inc., filed on April 29, 2010, 28 pages.	
	C19	Notice of Opposition to European Patent EP 1550719 filed by Sarah Elizabeth Roques, filed September 23, 2009, 24 pages.	
	C20	Notice of Opposition to European Patent EP 1550719 filed by Sanofi-Aventis Deutschland GmbH, filed September 23, 2009, 46 pages.	X
	C21	Notice of Opposition to European Patent EP 1550719 filed by Pfizer Limited, filed September 23, 2009, 21 pages.	
	C22	Notice of Opposition to European Patent EP 1550719 filed by Silence Therapeutics AG, filed September 24, 2009, 35 pages.	
	C23	Response to Notice of Opposition to European Patent EP 1550719 filed by Alnylam Europe AG, filed March 15, 2010, 40 pages.	
	C24	Response to Notice of Opposition filed against German Patent Number DE 01985833, filed by Max-Planck – Gesellschaft zur Förderung der Wissenschaften e.V., March 26, 2009, 4 pages.	
	C25	Minutes of the Oral Proceedings held on January 14, 2010 in Opposition to German Patent DE 10066235.8, issued by the German Patent and Trademark Office, 55 Pages.	X
	C26	Decision of the Board of Appeal of May 19, 2010 in Opposition to European Patent No. EP 1214945, July 20, 2010, 28 pages.	X
	C27	Statutory Declaration by David Keith Myers dated August 2, 2010, filed by Sirna Therapeutics, Inc., in opposition to Australia Patent No. AU 778474, 3 pages.	X
	C28	Statutory Declaration by David Keith Myers dated November 7, 2008, filed by Sirna Therapeutics, Inc., in opposition to Australia Patent No. AU 778474, 16 pages, list of journals published before the end of 1999 which cite a journal article authored by Andrew Fire and co-workers, and published in the journal Nature on February 19, 1998.	
	C29	Statutory Declaration by David Keith Myers dated November 7, 2008, filed by Sirna Therapeutics, Inc., in opposition to Australia Patent No. AU 778474, 3 pages, list of patent publications having an earliest claimed priority date of November 24, 1999 or earlier, which cite Fire, A., et al., (1998), Potent and specific genetic interference by double-stranded RNA in <i>Caenorhabditis elegans</i> , Nature 391: 806-811.	
	C30	Agrawal, S., et al., "Protocols for Oligonucleotides and Analogs," Chapters 5 and 6, 1993, Pages 81-140, Humana Press, Totowa, NH.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1Applicant's unique citation designation number (optional). 2See Kinds Codes of USPTO Patent Documents at [www.uspto.gov/mpep/2011.04](http://www.uspto.gov/mpep/2011.04). 3Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6Applicant is to place a check mark here if English language Translation is attached.

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

## Complete if Known

Application No.	10/612,179
Filing Date	July 2, 2003
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Kimberly Chong
Attorney Docket Number	26421-15777

Sheet

3

of

4

### OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
	C31	Baxeavanis, A., "The Molecular Biology Database Collection: 2003 update," Nucleic Acids Research, 2003, Pages 1-12, Vol. 31, No.1.	
	C32	Bernstein, E., et al., "Role for a bidentate ribonuclease in the initiation step of RNA interference," Nature, January 18, 2001, pages 363-366, Vol. 409	
	C33	Braun, H., et al., "Oligonucleotide and plasmid DNA packaging into polyoma VPI virus-like particles expressed in Escherichia coli," Biotechnol. Appl. Biochem, 1999, Pages 31-43.	
	C34	Biotechnology Applied Biochemistry Vol. 29, Part 1, February 1999, which shows Braun, H., et al., "Oligonucleotide and plasmid DNA packaging into polyoma VPI virus-like particles expressed in Escherichia coli," as first published on the internet December 22, 1998.	
	C35	Chen, M., et al., "A universal plasmid library encoding all permutations of small interfering RNA," PNAS, February 15, 2005, Pages 2356-2361, Vol. 102, No. 7.	
	C36	Chu, C-Y., et al., "Potent RNAi by short RNA triggers," RNA, Report, 2008, Pages 1714-1719, Vol. 14.	
	C37	Clemens MJ: PKR – a protein kinase regulated by double-stranded RNA. Int J Biochem Cell Biol 1997, 29(7):945-949	
	C38	Crooke, S., et al., "Antisense Research and Applications," Chapters 16 and 18, 1993, CRC Press, Boca Raton, 21 pages.	
	C39	Fire, A., "Gene Silencing By Double Stranded RNA," Nobel Lecture, December 8, 2006, pages 198-233.	
	C40	Gao, H., et al., "Stabilization of double-stranded oligonucleotides using backbone-linked disulfide bridges," Nucleic Acids Research, 1995, Pages 285-292, Vol. 23, No. 2.	
	C41	Gewirtz, A., et al., "Nucleic Acid Therapeutics: State of the Art and Future Prospects," Blood, August 1, 1998, Pages 712-736, Vol. 92, No. 3.	
	C42	Hung, C., et al., "A novel siRNA validation system for functional screening and identification of effective RNAi probes in mammalian cells," Biochemical and Biophysical Research Communications, 2006, Pages 707-720, Vol. 346.	
	C43	Morita et al., "RNAi Provides a New Tool for Functional Analyses of Mammalian Genes", Proteins, Nucleic Acids and Enzymes, vol. 47, No. 14, 2002, pp. 1939-1945, with English Abstract.	
	C44	Overview, <a href="http://arthritis-research.com/content/figures/ar1168-1.jpg">http://arthritis-research.com/content/figures/ar1168-1.jpg</a> , January 12, 2010.	
	C45	Phillips, M., "Antisense Inhibition and Adeno-Associated Viral Vector Delivery for Reducing Hypertension," Hypertension, Journal of the American Heart Association, 1997, Pages 177-187, Vol. 29.	
	C46	Rumney, S., et al., "Structural Optimization of Non-Nucleotide Loop Replacements for Duplex and Triplex DNAs," J. Am. Chem. Soc., 1995, Pages 5635-5646, Vol. 117.	
	C47	Shiota et al., "I want to Know the RNAi Protocol of that Animal!--Effective RNAi in Mammal Cells", Cell Engineering, vol. 22, No. 3, 2003, pp. 310-315, with English summary.	
	C48	Stryer, L., Biochemistry, Part 1 Molecular Design of Life, Chapter 4 DNA and RNA: Molecules of Heredity, 1988, Pages 80-82.	
	C49	Wang, S., et al., "Delivery of antisense oligodeoxyribonucleotides against the human epidermal growth factor receptor into cultured KB cells with liposomes conjugated to folate via polyethylene glycol," Proc. Nat. Acad. Sci., Biochemistry, April 1995, Pages 3318-3322.	
	C50	Zelphati, O., et al., "Antisense oligonucleotides in solution of encapsulated in immunoliposomes inhibit replication of HIV-1 by several different mechanisms," Nucleic Acids Research, 1994, Pages 4307-4314, Vol. 22, No. 20.	
	C51	Office Action for U.S. Patent Application No. 11/982,305, September 3, 2010, 10 pages.	
	C52	Office Action for U.S. Patent Application No. 11/982,425, September 2, 2010, 10 pages.	
	C53	Office Action for U.S. Patent Application No. 11/982,411, October 6, 2010, 12 pages.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1Applicant's unique citation designation number (optional). 2See Kinds Codes of USPTO Patent Documents at [www.uspto.gov/mpep/2011.04](http://www.uspto.gov/mpep/2011.04). 3Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6Applicant is to place a check mark here if English language Translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT****Complete if Known**

Application No.	10/612,179
Filing Date	July 2, 2003
First Named Inventor	Roland Kreutzer
Art Unit	1635
Examiner Name	Kimberly Chong
Attorney Docket Number	26421-15777

Sheet

4

of

4

**OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
	C54	Office Action for U.S. Patent Application No. 11/982,325, October 6, 2010, 11 pages.	
	C55	Office Action for U.S. Patent Application No. 11/982,434, October 6, 2010, 11 pages.	
	C56	Office Action for U.S. Patent Application No. 11/982,328, October 6, 2010, 11 pages.	
	C57	Office Action for U.S. Patent Application No. 10/383,099, October 15, 2010, 19 pages.	

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1Applicant's unique citation designation number (optional). 2See Kinds Codes of USPTO Patent Documents at [www.uspto.gov/MPEP/2011.04](http://www.uspto.gov/MPEP/2011.04). 3Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6Applicant is to place a check mark here if English language Translation is attached.